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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/728,321  
Applicants : Hopkins  
Filed : December 4, 2003  
TC/A.U. : 1794  
Examiner : Ferguson, Lawrence D.  
Title : High Modulus Thermoplastic Films and  
Their Use as Cash Register Tapes

Docket No. : HOP-1  
Customer No. : 29698

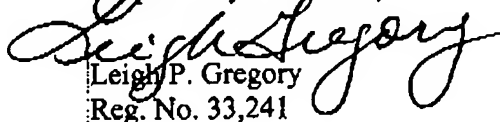
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Response to Notification of Non-Compliant Appeal Brief**

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated August 22, 2008, attached please find replacement sections relating to Status of Claims and Summary of Claimed Subject Matter. The original Status of Claims was found to be defective because it failed to explicitly identify which claims are on appeal. The original Summary of Claimed Subject Matter was found to be defective because it failed to identify and separately refer each independent claim to the specification by page and line number. These two defects have been addressed in the attached replacement sections. A petition for a one-month extension of time, extending the period of response to and including October 22, 2008, is filed herewith.

Respectfully Submitted,

  
Leigh P. Gregory  
Reg. No. 33,241

9-25-08  
Date

P.O. Box 168  
Clemson, SC 29633  
757-642-6039

Appl. No. 10/728,321  
Appeal Brief dated 07/25/08

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**Status of Claims**

Claim 1 – rejected – under appeal  
Claim 2 – rejected – under appeal  
Claim 3 – rejected – under appeal  
Claim 4 – rejected – under appeal  
Claim 5 – rejected – under appeal  
Claim 6 – rejected – under appeal  
Claim 7 – rejected – under appeal  
Claim 8 – rejected – under appeal  
Claim 9 – rejected – under appeal  
Claim 10 – rejected – under appeal  
Claim 11 – cancelled  
Claim 12 – rejected – under appeal  
Claim 13 – rejected – under appeal  
Claim 14 – rejected – under appeal  
Claim 15 – rejected – under appeal  
Claim 16 – rejected – under appeal  
Claim 17 – rejected – under appeal  
Claim 18 – rejected – under appeal  
Claim 19 – rejected – under appeal  
Claim 20 – rejected – under appeal  
Claim 21 – cancelled  
Claim 22 – withdrawn  
Claim 23 – withdrawn  
Claim 24 – withdrawn  
Claim 25 – withdrawn  
Claim 26 – withdrawn  
Claim 27 – withdrawn  
Claim 28 – withdrawn

Appl. No. 10/728,321  
Appeal Brief dated 07/25/08

### **Summary of Claimed Subject Matter**

Independent claim 1 is directed to a thermoplastic film composite for use as a cash register or receipt tape as is shown in Figure 1, reference numeral 10, and as is discussed throughout the present specification. The composite is formed of an essentially non-heat shrinkable film (Fig. 1, ref. 12, spec. page 5, line 4, page 8, lines 4 – 6) having a first outer film surface (Fig. 1, ref. 17, spec. page 5, line 7) and a second outer film surface (Fig. 1, ref. 19, spec. page 5, line 8). The film has a core layer (Fig. 1, ref. 14, spec. page 5, lines 5, 6, page 5, line 20 – page 6, line 8) and a first outer layer (Fig. 1, ref. 16, spec. page 5, line 6). The first outer layer contains a non-migratory static additive (spec. page 6, lines 9 – 25). A heat-sensitive, thermal image coating (Fig. 1, ref. 20, spec. page 5, lines 3 – 19, page 6, line 30 – page 7, line 9) is disposed on the second outer layer. At least one of the two outer layers contains a pigment (spec. page 5, lines 16 – 19, page 7, lines 7, 8). The composite has a 1% secant modulus in the machine direction of at least about 150,000 psi (spec. page 7, lines 23 – 28).

Independent claim 12 is directed to the present composite essentially as is shown in Figure 1, reference numeral 10, and as is discussed throughout the present specification. The composite is formed of an essentially non-heat shrinkable film (Fig. 1, ref. 12, spec. page 5, line 4, page 8, lines 4 – 6) having a first outer film surface (Fig. 1, ref. 17, spec. page 5, line 7) and a second outer film surface (Fig. 1, ref. 19, spec. page 5, line 8). The film has a core layer (Fig. 1, ref. 14, spec. page 5, lines 5, 6, page 5, line 20 – page 6, line 8). An anti-static coating is disposed on the first outer film surface (spec. page 6, lines 26 – 29). A heat-sensitive, thermal image coating (Fig. 1, ref. 20, spec. page 5, lines 3 – 19, page 6, line 30 – page 7, line 9) is disposed on the second outer layer. At least one composite component contains a pigment (spec. page 6, lines 3 – 8). The composite has a 1% secant modulus in the machine direction of at least about 150,000 psi (spec. page 7, lines 23 – 28).